

REMARKS

Claims 1 and 3-7 are all the claims pending in the application. By this Amendment, Applicant amends claims 1 to clarify the invention. In addition, Applicant adds claims 17-21. Claims 17-21 are clearly supported throughout the specification *e.g.*, Fig. 8 and ¶¶ 48 to 60 of the specification.

Preliminary Matters

The Examiner is respectfully requested to acknowledge Applicant's claim to foreign priority and to indicate receipt of the certified copy of the priority document filed on March 26, 2001.

Statement of Substance of Interview and Prior Art Rejections

Claims 1 and 4-7 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,600,712 to Tognazzini (hereinafter "Tognazzini") and claim 3 is rejected under 35 U.S.C. § 103(a) as being obvious over Tognazzini. Applicant respectfully traverses these rejections in view of the following comments.

Applicant's representative thanks the Examiner for a courteous personal interview with the Examiner conducted on January 10, 2006. During the interview, claim 1 was discussed in view of Tognazzini. The Examiner further clarified his position and indicated that he interprets the claim to require that "the file management information is volume configuration information in a volume of a file system" and that a separate file system is provided that includes "the file and file configuration information in the volume." Accordingly, the Examiner alleges that the "file management information" is disclosed by Tognazzini's serial or code numbers (col. 5, lines

48 to 53) and that the “file configuration information” is disclosed by Tognazzini’s preferred playback program (col. 5, line 62 to col. 6, line 4).

The Examiner suggested that Applicant clearly sets forth that the file management information includes both the volume configuration information and the file configuration information. In view of the foregoing, Applicant amends claim 1 to further clarify that “the file management information comprises: volume configuration information in a volume of a file system comprising the file, and file configuration information in said volume... wherein the file configuration information includes a name, a size, a position on the volume, and access control information of the file.”

Accordingly, as acknowledged by the Examiner, the serial number of Tognazzini (alleged file management information) does not include a name. Tognazzini does not disclose or suggest that the serial number would also include file configuration information that has a name, a size, and access control information. That is, a mere serial number at the very least does not contain a name. In other words, Tognazzini’s serial number cannot anticipate the file management information as set forth in claim 1 at least because the serial number does not include a name.

Therefore, “the file management information comprises: volume configuration information in a volume of a file system comprising the file, and file configuration information in said volume... wherein the file configuration information includes a name, a size, a position on the volume, and access control information of the file,” set forth in claim 1 is not disclosed by Tognazzini, which lacks a serial number having a name. For at least this exemplary reason,

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appl. No. 09/816,352
Attorney Docket No.: Q63622

claim 1 patentably distinguishes from Tognazzini. Accordingly, Applicant respectfully requests the Examiner to withdraw this rejection of claim 1 and its dependent claims 3-7.

New Claims

In order to provide more varied protection, Applicant adds claims 17-21. Claims 17-19 are patentable at least by virtue of their dependency on claim 1. In addition, as acknowledged by the Examiner, Tognazzini fails to disclose or suggest a module or means for managing the pre-recorded file and the updated version of the pre-recorded file. For at least this additional exemplary reason, claims 17 and 18 are patentable over Tognazzini.

Claim 20 is patentable at least because it recites: “comparing said requested section with a corresponding section in a reference set of data, wherein, when a mismatch occurs, recording the corresponding reference section to a write section and updating management information to access the updated version instead of the requested section in the first set of data.” Tognazzini does not disclose or suggest these unique features of claim 20. Claim 21 is patentable at least by virtue of its dependency on claim 20.

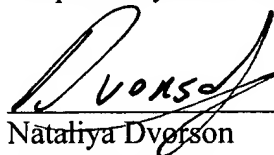
Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/816,352
Attorney Docket No.: Q63622

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dvortson", is written over a horizontal line.

Nataliya Dvortson
Registration No. 56,616

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: April 13, 2006

Attorney Docket No.: Q63622